

HEATHER E. WILLIAMS, Bar #122664
Federal Defender
ERIC V. KERSTEN, CA Bar #226429
Assistant Federal Defender
Designated Counsel for Service
2300 Tulare Street, Suite 330
Fresno, California 93721-2226
Telephone: (559) 487-5561

Attorneys for Defendant
ERIK ACEVEDO-CRUZ

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIK ACEVEDO-CRUZ,

Defendant.

Case No. 1:21-cr-00167 DAD

**STIPULATION TO CONTINUE
SENTENCING; ORDER THEREON**

Date: September 20, 2021
Time: 9:00 a.m.
Judge: Hon. Dale A. Drozd

IT IS HEREBY STIPULATED by and between the parties through their respective counsel that the sentencing hearing scheduled for September 7, 2021 may be continued to September 20, 2021, or the soonest time thereafter convenient to the court.

On July 13, 2021 Mr. Acevedo-Cruz admitted violating probation in this matter. Thereafter, on July 19, 2021, a second Probation 12C Petition was filed, alleging another violation of probation. On August 2, 2021 Acevedo-Cruz admitted this violation and sentencing on both petitions was scheduled for September 7, 2021. Due to an unanticipated conflict for defense counsel, Mr. Acevedo-Cruz is requesting that sentencing be continued to September 20, 2021, or the soonest date thereafter convenient to the court. USPO Molly McSorley does not object to this continuance.

///

1 Because this is a violation of supervised release an exclusion of time is not necessary.
2 However, out of an abundance of caution the parties agree the delay resulting from this request
3 may be excluded in the interests of justice, for effective defense investigation and preparation,
4 and for availability of counsel pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv).
5

6 PHILLIP A. TALBERT
Acting United States Attorney
7

8 DATED: September 1, 2021

By /s/ Alexandre Dempsey
ALEXANDRE DEMPSEY
Assistant United States Attorney
Attorneys for Plaintiff
9
10

11 HEATHER E. WILLIAMS
Federal Defender
12

13 DATED: September 1, 2021

By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorneys for Defendant
ERIK ACEVEDO-CRUZ
14
15
16
17

18 **ORDER**

19 **IT IS SO ORDERED.** For the reasons set forth above sentencing is continued to
20 September 20, 2021 at 9:00am.

21 IT IS SO ORDERED.

22 Dated: **September 1, 2021**

23 
UNITED STATES DISTRICT JUDGE
24
25
26
27
28